

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.186 OF 2014

Shri Patel Mustak Januddin. .. Petitioner

Vs

Pimpri-Chinchwad Municipal Corporation
and Others. .. Respondents

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Shri Rajaram Deshmukh for the Petitioner.

Shri Uday P. Warunjikar i/b Shri G.H. Keluskar for the Respondent Nos.1
to 4.

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CORAM : A.S. OKA &
VLACHLIYA, JJ
DATED : 27TH OCTOBER 2015

P.C.

. Heard the learned counsel appearing for the parties.
Perused the affidavit of Shri Firoj Inayatullah Shaikh filed on behalf of
the Respondent Nos.5A to 5C. It is stated that on 23rd October 2015, a
fresh Application for grant of permission has been submitted to the
Municipal Corporation through an Architect. Relying upon the
document annexed at Exhibit-B, it is contended that an appropriate
action is expected on the Application made by the Respondent Nos.5A
to 5C by 7th January 2016.

2. The fact that the Respondent Nos.5A to 5C have applied
for regularization shows that the structures subject matter of notices

issued under Sub-section (1) of Section 53 of the Maharashtra Regional and Town Planning Act, 1966 have been constructed without obtaining permission from the Competent Authority. Hence, we need not keep this Petition pending and we dispose of the Petition by passing the following order:

ORDER :

- (a) We direct the Pimpri Chinchwad Municipal Corporation to decide the Application made by the Respondent Nos.5A to 5C on 23rd October 2015 within a period of 60 days from 23rd October 2015;
- (b) It is obvious that depending upon the outcome of the said Application, appropriate action shall be taken by the Pimpri Chinchwad Municipal Corporation;
- (c) In the event, there is any inaction on the part of the Municipal Corporation, remedies of the Petitioner are always open;
- (d) The Petition is disposed of on above terms.